

**ZB# 92-36**

**Richard Bittles**

**45-4-15**

Pulley.

Oct. 26, 1992.

No Show

Nov. 9, 1992

Notice to Sentinel on 11/12/92.  
Published on 11/19/92 (C)  
Need copy of (C)

- ① Seed it here.
- ② Title Report there
- ③ Photos - ✓
- ④ OGD to be <sup>\$50.00</sup> ~~be~~

⑤ <sup>\$250.00</sup> ~~be~~ <sup>50.00</sup> ~~be~~ <sup>250.00</sup> ~~be~~  
notified.

Public Hearing:  
December 14, 1992

~~Noted~~ ~~noted~~ pd.

Granted -

Area variance

12/14/92

Refund pd.

#92-36-Bittles, Richard  
Newyd.

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

13056

December 18 1992

Received of Richard & Kathleen Bittles \$ 50.00

Fifty and 00/100

DOLLARS

For Zoning Board Application Fee # 92-36

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CE</u>	<u>1592</u>	<u>\$ 50.00</u>

By Pauline J. Townsend  
CAJ

Town Clerk

Title

Form 1041-1 (1-64) *7-150000-1000-1000-1000*

DISTRIBUTION

FUND	CODE	AMOUNT
<i>CE</i>	<i>1592</i>	<i>\$50.00</i>

By *Pauline J. Thompson*  
*Ed*  
*Tolson Clerk*  
Title

© WILLIAMSON LAW BOOK CO. VICTOR, N.Y. 14564



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Bittles, Richard

FILE # 92-36.

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE . . . . . \$ 50.00

\* \* \* \* \*

ESCROW DEPOSIT FOR CONSULTANT FEES . . . . . \$ 250.00.

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE <sup>(no show)</sup> 10/26/92: 1 page . \$ 4.50.  
2ND PRELIM. MEETING - PER PAGE 11/9/92: 4 pages . \$ 18.00  
3RD PRELIM. MEETING - PER PAGE . \$ 18.00.  
PUBLIC HEARING - PER PAGE 12/4/92: 4 pages . \$ 18.00.  
TOTAL . . . . . \$ 40.50.

ATTORNEY'S FEES:

PRELIM. MEETING-	<u>.1</u>	HRS.		\$	
2ND PRELIM.	<u>.1</u>	HRS.		\$	
3RD PRELIM.		HRS.		\$	
PUBLIC HEARING	<u>.2</u>	HRS.		\$	
FORMAL DECISION	<u>.6</u>	HRS.		\$	
TOTAL HRS.		<u>1.0</u>	@ \$ <u>150.00</u>	PER HR.	\$
				TOTAL	\$ <u>150.00</u>

MISC. CHARGES:

\_\_\_\_\_ . . . . . \$ -  
TOTAL . . . . . \$ 190.50

LESS ESCROW DEPOSIT . . . \$ 250.00  
(ADDL. CHARGES DUE) . . . \$ 59.50 refund  
REFUND TO APPLICANT DUE . \$ 59.50 due

Date 1/18/93, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Frances Ryn 389 Moores Hill DR.  
New Windsor NY 12553

DATE			CLAIMED	ALLOWED
12/4/92		Zoning Board Meeting	75	00
		Misc - 2		
		Quality Homes - 7 - 31.50.		
		Slifstein - 11 - 49.50		
		Bittles - 4 - 18.00.		
		Carlough - 3 - 13.50		
		Ledwith - 5 - 22.50.		
		Walsh - 4 - 18.00		
		Moran - 31 - 139.50.	301	50
		<u>67</u>	<u>376</u>	<u>50</u>

PUBLIC HEARING: BITTLES, RICHARD

MR. FENWICK: This is a request for 8 foot 9 inch rear yard variance for existing deck at 45 Parade Place in an R-4 zone.

Richard Bittles appeared before the Board representing this proposal.

MR. LUCIA: When Mr. Bittles was here, we indicated county referral was needed and subsequently we have learned that the October 22, 1992 agreement between the county and town so there's no county referral needed on this application any longer.

Thank you for providing copy for the deed and title policy. I notice there's some reference in there to covenants and restrictions and easements and agreements and that is of record. Is there anything affecting the title to this property to your knowledge which you prevent you from maintaining this structure about which you're now seeking a variance?

MR. BITTLES: No.

MR. LUCIA: Thank you.

MR. FENWICK: At this time we're going to ask you to explain to us why you were cited.

MR. BITTLES: The bank, same as everybody else.

MR. FENWICK: That is not why you were cited, the town cited you.

MR. BITTLES: I thought you meant why I'm going for the C.O.

MR. FENWICK: I know why you got your bank by way of the town is probably requesting it, why were you given a denial?

MR. BITTLES: I was short on the rear of the deck to the neighbor behind me, I forget the footage, 7 foot 9.

MR. BABCOCK: 8 foot 9.

MR. LUCIA: Would you tell the Board why the deck was located in that particular location on the property?

MR. BITTLES: It's in that spot because behind the house was rock and dirt which no grass was ever going to grow and I put it there so it's just off the back of the house instead of being to the side of the house or anywhere else plus you can't see it from the road, privacy.

MR. LUCIA: Would you have had room to put it on the side of the house without a variance?

MR. BITTLES: I don't know because I didn't know I needed that. I don't know from the side to the fence what do you need for footage, I don't even know.

MR. BABCOCK: 15 feet.

MR. BITTLES: Probably would have been the same thing.

MR. LUCIA: Putting it in the back allowed better traffic circulation within the house or access to the back than locating it on the side would have?

MR. BITTLES: Yeah, you go through the house just straight through the house through the kitchen through the living room back to the deck.

MR. LUCIA: If this Board should grant you a variance, do you believe that an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties would be created?

MR. BITTLES: No.

MR. LUCIA: Is there any other way for you to achieve this benefit having a deck in its present location other than a variance? Can you keep the deck there without getting a variance?

MR. BITTLES: No, we are refinancing, no.

MR. LUCIA: Is the variance you're seeking substantial that is in terms of numbers you're looking for 8 foot 9 inch rear yard variance, do you believe that is substantial?



MR. BITTLES: Yeah.

MR. LUCIA: But based --

MR. BITTLES: Do I think that is a lot?

MR. LUCIA: Compared to the requirement, yes.

MR. BITTLES: I think it's, no, I think it's small. I don't think it's a lot of footage to ask for, no, because from where her yard is behind me, that is the whole thing. There's trees in the way, there's 15 feet of bush, it's not in any way hurting her or helping me or anything like that.

MR. LUCIA: Will the proposed variance have an adverse effect on physical or environmental conditions in the neighborhood or district?

MR. BITTLES: No.

MR. LUCIA: Did you create this problem yourself?

MR. BITTLES: Yeah.

MR. LUCIA: But you're now doing what you can to rectify the situation?

MR. BITTLES: Right, rectify my situation.

MR. FENWICK: Did you build the deck yourself?

MR. BITTLES: Yes.

MR. FENWICK: Why didn't you get a building permit at the time?

MR. BITTLES: I wasn't aware of it.

MR. FENWICK: Any other questions from the Members of the Board? At this time, I'll open it up to the public. This is in reference to the Bittles application. Anyone here would like to speak on this? If not, I'll close it to the audience and open it back up to the Members of the Board. If there are no questions or additions or anything at this time, I'll ask for a motion.

December 14, 1992

23

MR. TANNER: I'll make a motion we grant the variance.

MR. NUGENT: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

MR. FENWICK: There's going to have to be a formal decision.

MR. BITTLES: Since it's been okayed, if I go to close can I get anything saying that it's okay.

MR. BABCOCK: Sure, come in and see me, we'll take of it, give you a letter or something. Has it been inspected?

MR. BITTLES: Tomorrow we're coming for that, shouldn't be a problem with that at all.

MR. FENWICK: Okay, thank you.

Existing Deck

IMPORTANT  
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises Richard J. Bittles Kathleen P. Bittles  
Address 45 PARADE PLACE Phone 914-565-1652  
Name of Architect .....  
Address ..... Phone .....  
Name of Contractor .....  
Address ..... Phone .....  
State whether applicant is owner, lessee, agent, architect, engineer or builder .....  
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of PARADE PLACE  
and 230.00' feet from the intersection of CANNON DRIVE  
(N.S.E. or W.)

IF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO  
CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED  
AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises Richard J. Bittles Kathleen P. Bittles  
Address 45 PARADE PLACE Phone 914-565-1652  
Name of Architect \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Name of Contractor \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_  
If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of PARADE PLACE  
(N, S, E, or W.)  
and 230.00' feet from the intersection of CANNON DRIVE
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Tax Map description of property: Section 45 Block 4 Lot 15
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy P.D. b. Intended use and occupancy outside deck
5. Nature of work (check which applicable): New Building \_\_\_\_\_ Addition ☒ Alteration \_\_\_\_\_ Repair \_\_\_\_\_  
Removal \_\_\_\_\_ Demolition \_\_\_\_\_ Other Existing Deck 16 x 24 wood deck
6. Size of lot: Front Rear 140.53' Depth 125.00' Front Yard 72.79' Rear Yard 140.53' Side Yard 152.62'  
Is this a corner lot? NO
7. Dimensions of entire new construction: Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ Number of stories 2
8. If dwelling, number of dwelling units \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_  
Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_ Electric/Hot Air \_\_\_\_\_ Hot Water Ex. st.  
If Garage, number of cars \_\_\_\_\_
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_  
\_\_\_\_\_
10. Estimated cost \_\_\_\_\_ Fee \$50.00  
(to be paid on this application)
11. School District \_\_\_\_\_

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

# TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
 Approved.....19.....  
 Disapproved a/c.....  
 Permit No. ....

Office Of Building Inspector  
 Michael L. Babcock  
 Town Hall, 555 Union Avenue  
 New Windsor, New York 12550  
 Telephone 565-8807

Refer —

Planning Board.....  
 Highway.....  
 Sewer.....  
 Water.....  
 Zoning Board of Appeals .....

## APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

### INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*Kathleen Buttle*  
 (Signature of Applicant)

(Address of Applicant)

### PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.

TAX MAP REFERENCE: LOT 15, BLOCK 4,  
 SECTION 45.

**PARADE PLACE**  
 (50.00' WIDE)

$R=100'$   $\Delta=27^{\circ}04'00''$   
 $N46^{\circ}58'00''E$   $D=47.24'$   $CALL (E=47.23 MAP)$   
 25.56'

AREA = 0.316 ± ACRES.



Date.....19.....

## INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Kathleen Bittles  
(Signature of Applicant)

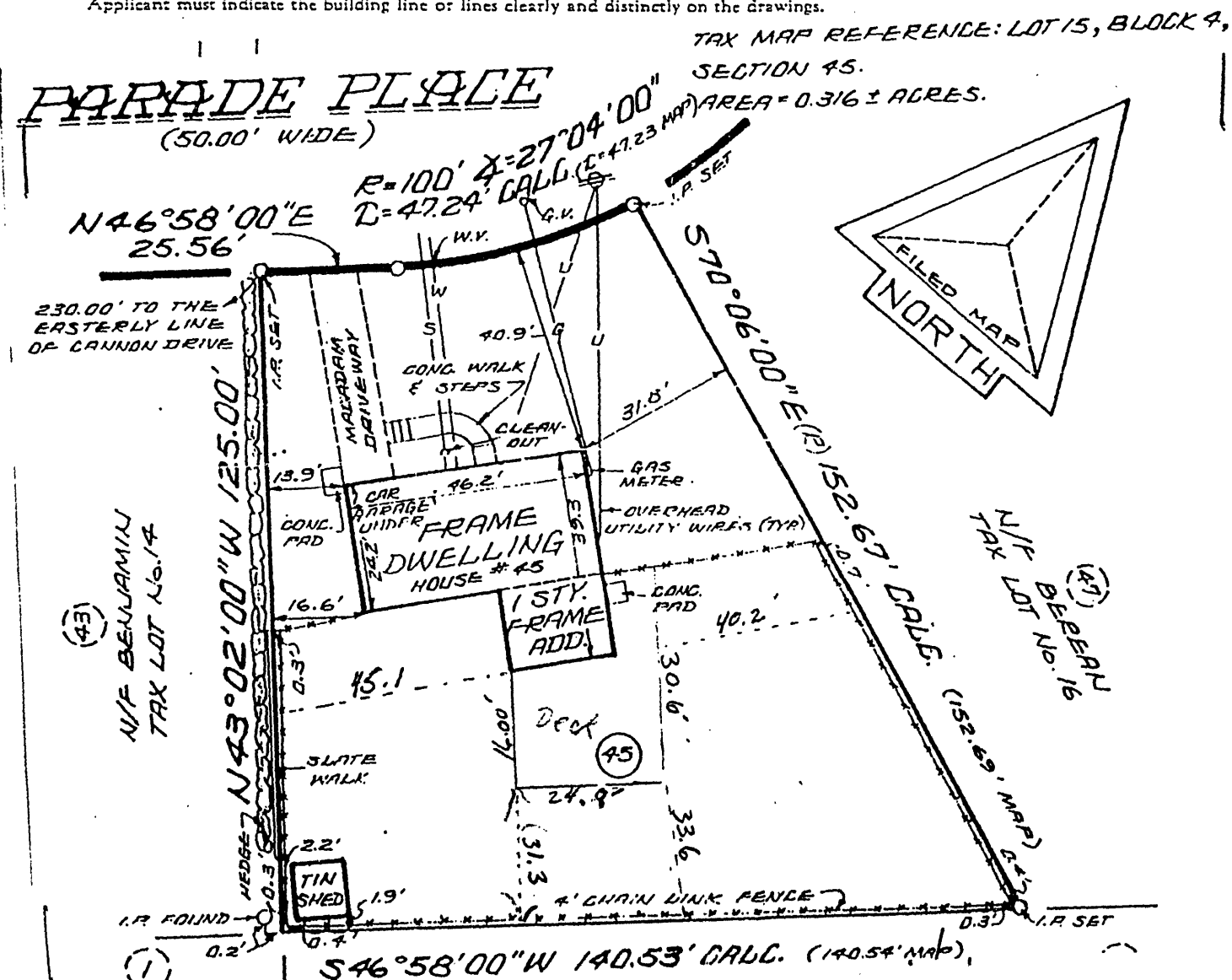
(Address of Applicant)

## PLOT PLANS

NOTE: Locate all buildings and indicate all set-back dimensions.

**Applicants must indicate the building line or lines clearly and distinctly on the drawings.**

TAX MAP REFERENCE: LOT 15, BLOCK 4,  
SECTION 45.



OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelim.*  
*Oct. 26, 1992*  
*7:30 pm.*  
*92-36*

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: SEPTEMBER 21, 1992

APPLICANT: RICHARD J. BITTLES

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: SEPTEMBER 21, 1992  
FOR (BUILDING PERMIT):

LOCATED AT: 45 PARADE PLACE  
NEW WINDSOR, N.Y.

ZONE:

DESCRIPTION OF EXISTING SITE: SECTION 45 BLOCK 4 LOT 15

EXISTING 16' X 24' WOOD DECK

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. INSUFFICIENT REAR YARD SET-BACK

*Frank Lisi*  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R-4	USE G-10	
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		

APPLICANT: RICHARD J. BITTLES

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: SEPTEMBER 21, 1992  
FOR (BUILDING PERMIT):

LOCATED AT: 45 PARADE PLACE  
NEW WINDSOR, N.Y.

ZONE:

DESCRIPTION OF EXISTING SITE: SECTION 45 BLOCK 4 LOT 15

EXISTING 16' X 24' WOOD DECK

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. INSUFFICIENT REAR YARD SET-BACK

  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R-4	USE G-10	
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD		
REQ'D TOTAL SIDE YD		
REQ'D REAR YD.	40'	31FT 3IN. 8FT 9IN.
REQ'D FRONTAGE		
MAX. BLDG. HT.		
FLOOR AREA RATIO		
MIN. LIVABLE AREA		
DEV. COVERAGE		

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT  
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 92-36

Date: 11/13/92

I. ✓ Applicant Information:

- (a) Richard Bittles 45 Parade Place New Windsor 565-1652 Richard Bittles  
(Name, address and phone of Applicant) (Owner)
- (b) Richard Bittles 45 Parade Place New Windsor 565-1652  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-4 45 Parade Place 45 4 15 .316 ± Acres  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? N/A
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Mar 1990
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No  
If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N/A  
 (b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. ✓ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. 6.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd. <u>40'</u>	<u>31 ft 3 in</u>	<u>8 ft 9 in</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____		
Parking Area _____		

\* Residential Districts only

\*\* No-residential districts only

✓ (b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.

The existing deck was put in its current location to maintain the symmetry of the house (added on to back of existing addition - which was present when we bought the house) and to cover up dirt filled land that was not growing any grass and was started.

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1			
Sign 2			
Sign 3			
Sign 4			

(b) <sup>N/A</sup> Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) <sup>N/A</sup> What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. <sup>N/A</sup>

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

There will be no major change to the zone or neighboring zones. It will be maintained as a single family residence. The deck in question is located in the rear yard of the dwelling which is surrounded by chain link fence.

✓ IX. Attachments required:

- X Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- X Copy of tax map showing adjacent properties.
- N/A Copy of contract of sale, lease or franchise agreement.
- X Copy of deed and title policy.
- X Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- N/A Copy(ies) of sign(s) with dimensions and location.
- Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 250.00, each payable to the TOWN OF NEW WINDSOR.
- Photographs of existing premises from several angles.

X. Affidavit.

Date: Nov 13, 1992

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X Kathleen P. Bittles  
(Applicant)

Sworn to before me this

23rd day of November, 1992.  
Patricia Bankart.

XI. ZBA Action:

**PATRICIA A. BARNHART**  
**Notary Public, State of New York**  
**No. 01BA4904434**  
**Qualified in Orange County**  
**Commission Expires August 31, 10<sup>13</sup>**

(a) Public Hearing date: Qualified in Orange County  
Commission Expires August 31, 1993.

(b) Variance: Granted ( ) Denied ( )

(c) Restrictions or conditions:

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Date .....11/30/92....., 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 389 Monroes Hill Rd DR.

New Windsor, NY 12553

DATE

CLAIMED

ALLOWED

11/9/92		Zoning Board	75	00		
		Misc - 2				
		Carlaugh - 6 - 27.00				
		Sarinsky - 10 - 45.00				
		Bittles - 4 - 18.00				
		Slifstein - 13 - 58.50				
		Atquino - 11 - 49.50				
		Benuca - 8 - 36.00				
		Freeman - 5 - 22.50				
		<u>59 pgs</u>	265	50		
		APPROVED:	399	50		
		Chairman				

BITTLES, RICHARD

MR. FENWICK: Request for 8 ft. 9 in. rear yard ariance for existing deck located at 45 Parade Place in R-4 zone.

Mr. Richard Bittles appeared before the board on this proposal.

MR. BITTLES: We're in the process of refinancing now and we need a C.O. for the deck and we applied for the building permit and were denied because we're 9 feet 8 inches shy. We're 31 feet, we're 36 on one side and 31'3" on the other so that is the 8 foot that we're applying for the variance for.

MR. FENWICK: Did you put this deck in?

MR. BITTLES: Yes.

MR. FENWICK: Can you tell us why you put it in without a building permit?

MR. BITTLES: Was unaware, we put it in the summer we moved in.

MR. LUCIA: Deck was two years ago?

MR. BITTLES: Two summers ago.

MR. LUCIA: Do you know how old the house is?

MR. BITTLES: 1964.

MR. TORLEY: Were you replacing an existing deck?

MR. BITTLES: No.

MR. FENWICK: Did you do the work yourself?

MR. BITTLES: Yes.

MR. LUCIA: Are you relatively certain of the 1964 date rather than--

MR. BITTLES: I don't understand that.

MR. LUCIA: Are you realatively certain that is when the house was built?

MR. BITTLES: Yes.

MR. LUCIA: Because you have some other problems that you could solve at this point if it was built later than that but it's definitely prior, okay.

MR. FENWICK: Was the addition that is shown on here on the house when you bought it?

MR. BITTLES: Yes.

MR. FENWICK: Looking for the dimension from the closest rear lot line, I don't see one.

MR. BITTLES: For what, the back of the deck?

MR. FENWICK: No, I mean to the original house because there's been an addition put on, it's an addition on an addition.

MR. KONKOL: Prior to the deck going on, you have quite a space in there.

MR. FENWICK: Is there a reason the deck is located where it is?

MR. BITTLES: No, just because when I put it on, I just wanted everything straight like in a square, you know, looking like from the air, I guess you would say. Plus there's, it's dirt there. I knew no grass was going to grow. That was probably the only reason I put it there. It's behind the house, privacy.

MR. FENWICK: Any questions from the members of the board?

MR. TANNER: No.

MR. FENWICK: You're going for refinance?

MR. BITTLES: Yes.

MR. FENWICK: When did you buy the house, I'm sorry?

MR. BITTLES: March of '90.

MR. FENWICK: So you have only been there a little more than two years?

MR. BITTLES: Right.

MR. TANNER: Make a motion set him up for a public hearing.

MR. TORLEY: I'll second it.

MR. FENWICK: I'll let the attorney explain to you what your requirements are.

MR. LUCIA: We need a referral to the County Department of Planning and Development because you're within 500 feet of Route 94. That is not for your purpose, just for our record keeping purposes. You're applying for an area variance and as you probably heard me explain to the previous applicants, in order to make the finding necessary to grant an area variance, this board has to engage in a balancing test. Basically that involves consideration if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting in allowing you to do something which doesn't conform to the zoning. One of the factors that the board has to consider in granting the minimum variance necessary so something you ought to be able to speak to when you come back to the public hearing is why you couldn't have located this someplace else that didn't require a variance or required a smaller variance. I realize it's already built but you ought to have something to say on that issue. Also, five factors the board has to consider in determining whether or not you're entitled to an area variance. First, is whether undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by granting the variance. Second, whether the benefits sought by the applicant can be achieved in



some other method feasible for you to pursue other than an area variance. Since it's built, other than redesigning and taking down part of the deck, I guess you don't have any alternatives. Third, whether requested area variance is substantial, that is measured against the bulk requirements. Fourth, whether proposed variance will have and adverse effect or impact on physical and environmental conditions of the neighborhood. And fifth, whether the alleged difficulty was self-created. In this case, it was, you built it without a building permit but you're doing what you can to straighten it out at this point. You'll receive an application pack which has instructions sheet on top, if you would just take a look at that, fill out the application, bring it back to Pat when it's ready. If you have any questions or problems with it, give her a call. She can help you with it. You have to submit two checks, one for \$50 application fee and one for \$250 deposit against Town consultant's fees and various disbursements the board has in handling your application.

## ROLL CALL

MR. TORLEY	AYE
MR. KONKOL	AYE
MR. TANNER	AYE
MR. FENWICK	AYE

Pls. publish on Nov. 25th. Send bill to below applicant.

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Local Law on the following proposition:

Appeal No. 36.

Request of Richard Bittles

for a VARIANCE of

the regulations of the Zoning Local Law to

permit existing deck w/ insufficient

rear yd.;

being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regs. - Col. G

for property situated as follows:

45 Parade Place, New Windsor, N.Y.

known & designated as tax map

Section 45 - Blk. 4 - Lot 15.

SAID HEARING will take place on the 14th day of

December, 1992, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

Richard Fenwick  
Chairman

By: Patricia A. Barnhart, Secy.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR  
COUNTY OF ORANGE : STATE OF NEW YORK

-----X  
In the Matter of Application for Variance of

Richard Bittes,

Applicant.

AFFIDAVIT OF  
SERVICE  
BY MAIL

# 92-36.

-----X  
STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age  
and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On November 25, 1992, I compared the 65 addressed  
envelopes containing the attached Notice of Public Hearing with  
the certified list provided by the Assessor regarding the above  
application for variance and I find that the addressees are  
identical to the list received. I then mailed the envelopes in a  
U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart  
Patricia A. Barnhart

Sworn to before me this  
25<sup>th</sup> day of November, 1992.

Deborah Green  
Notary Public  
DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4884066  
Commission Expires July 15, 1993

(TA DOCDISK#7-030586.AOS)

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

⑨

TO FRANCES BETH 389 Moores Hill Rd DR.  
New Windsor NY 12553

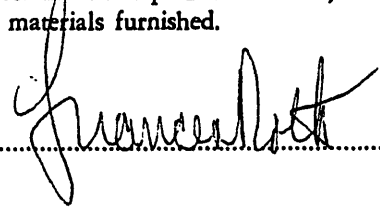
DATE			CLAIMED	ALLOWED
9/26/92	Zoning Board Meeting		75 02	
	Misc. - 4			
	Denhoff - 1			
	Carrolls - 5			
	Windsor Enterprises - 2			
	DePalma - 5			
	Bevins - 1			
	B. Hies - 1	<del>4 00</del>		
	Freeman - 9			
	Rose - 5			
	Jones - 12		198 00	
			273 00	

STATE OF NEW YORK,  
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No. ....

Town of New Windsor

Nature .....

Amount Claimed \$ .....

Amount Allowed \$ .....

Filed .....

I hereby certify that at a meeting of  
said Town Board held at the office of the  
Town Clerk on the ..... day  
of ....., 19.....

the within claim was audited and allowed  
for the sum of

\$ .....

Clerk

October 26, 1992

17

~~BUTTLES, RICHARD~~

MR. FENWICK: Request for 8 ft. 9 in. rear yard variance for existing deck located at 45 Parade Place in R-4 Zone. No one is here on this application.

B.

ORANGE COUNTY DEPARTMENT OF PLANNING  
APPLICATION FOR MANDATORY COUNTY REVIEW  
OF LOCAL PLANNING ACTION  
(Variances, Zone Changes, Special Permits, Subdivisions)

Section A. - To be completed by Local Board having jurisdiction.  
To be signed by Local Official.

Local File No. 92-36.

1. Municipality Town of New Windsor Public Hearing Date 12/4/92.

☐ City, Town or Village Board ☐ Planning Board ☒ Zoning Board of Appeals

2. Applicant: NAME Richard Bittes

Address 45 Parade Place, New Windsor, N.Y. 12553

Attorney, Engineer, Architect \_\_\_\_\_

3. Location of Site: (Same as above) near Cannon Drive.  
(street or highway, plus nearest intersection)

Tax Map Identification: Section 45 Block 4 Lot 15

Present Zoning District R-4 Size of Parcel 140 x 125 ±

4. Type of Review:

☐ Special Permit Use\* \_\_\_\_\_

☒ Variance\* Use \_\_\_\_\_

Area - Existing wooden deck - (see attached)

☐ Zone Change\* From: \_\_\_\_\_ To: \_\_\_\_\_

☐ Zoning Amendment\* To Section: \_\_\_\_\_

☐ Subdivision\*\* Major \_\_\_\_\_ Minor \_\_\_\_\_

11/12/92  
Date

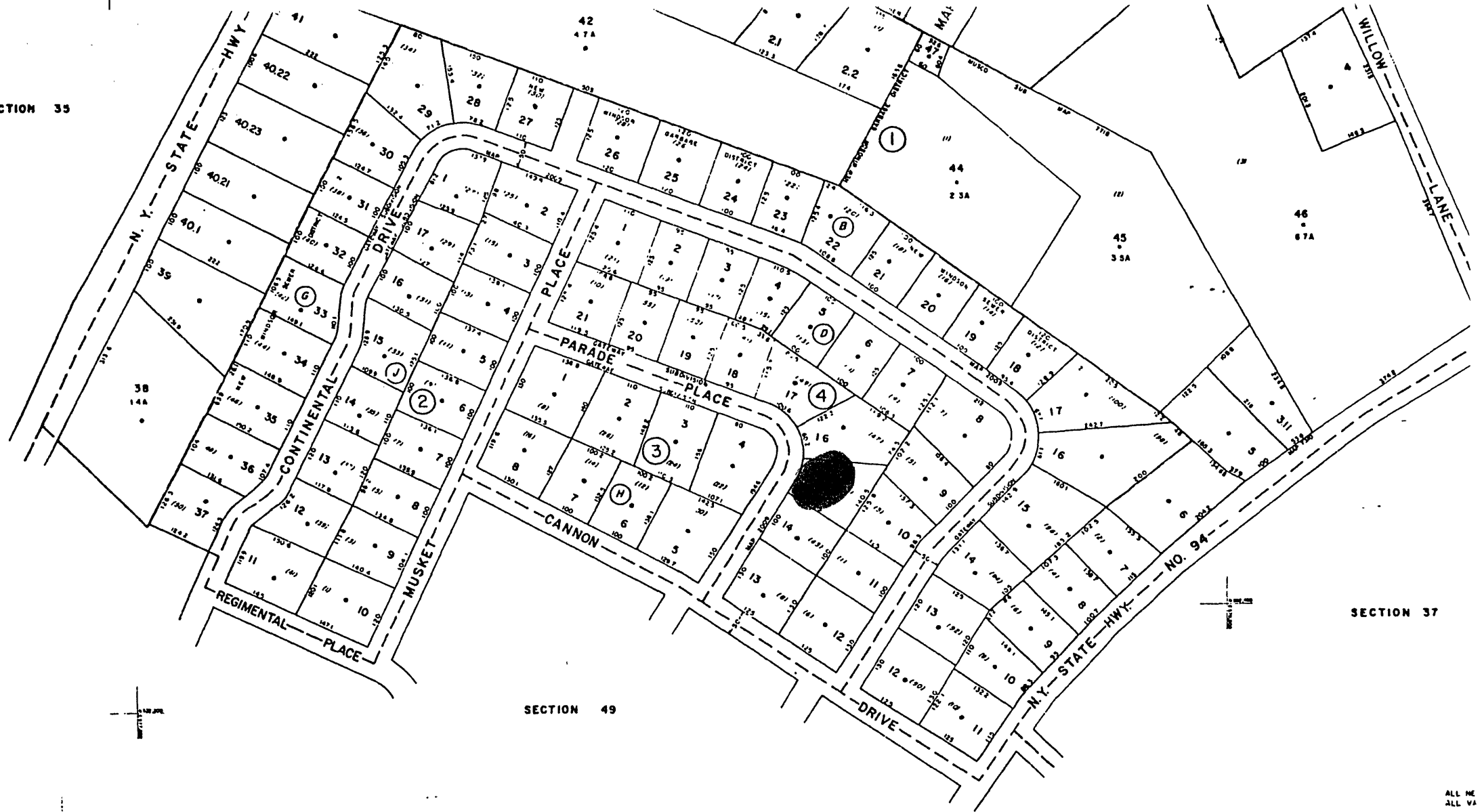
Patricia C. Bunnhart Secy.  
Signature and Title ZBA!

\*Cite Section of Zoning Regulations where pertinent

\*\*Three (3) copies of map must be submitted if located along County Highway, otherwise, submit two (2) copies of map.

OCPD-1

SECTION 33



SECTION 37

SECTION 49

ALL ME  
ALL VA

Prepared by  
**AERO SERVICE CORPORATION**  
A Division of AERO INDUSTRIES  
INCORPORATED  
**FOR TAX PURPOSES ONLY**  
NOT TO BE USED FOR CONVEYANCE



**LEGEND**

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	④	FILED PLAN BLOCK NO.	② ③
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	32	FILED PLAN LOT NO.	21
BLOCK & SECTION LINE	MATCH LINE	AREA	1.21 AC. ±	STATE HIGHWAYS	N.Y. STATE HWY. NO. 94
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS	1.21 AC. ±	COUNTY HIGHWAYS	1.21 AC. ±
PROPERTY LINE				TOWN ROADS	1.21 AC. ±

**ORANGE COUNTY~NEW YORK**

Photo No. 14-32,33 Date of Map: 9-24-67  
Date of Photo: 3-1-63 Date of Revision: 3-1-91  
Scale: 1" = 100'

TOWN OF NEW

Section No. \_\_\_\_\_





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

65

November 4, 1992

Richard J. & Kathleen P. Bittles  
45 Parade Place  
New Windsor, NY 12553

Re: Tax Map Parcel: 45-4-15

Dear Mr. & Mrs. Bittles:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00. Please remit the balance of \$60.00 to the Town Clerk's office.

Sincerely,

*Leslie Cook/CO*

Leslie Cook  
SOLE ASSESSOR

LC/cad  
Attachments  
cc: Pat Barnhart

Morrow, John J. & Anna S.  
630 Blooming Grove Tpke.  
New Windsor, NY 12553

Anile, Gaetano N. & Carmella  
634 Blooming Grove Tpke.  
New Windsor, NY 12553

Kiss, Ernest & Helen  
640 Blooming Grove Tpke.  
New Windsor, NY 12553

Voelker, Juergen E. & Maria A.  
642 Blooming Grove Tpke.  
New Windsor, NY 12553

Carlone, Frank J. & Angela M. Schiavone  
646 Blooming Grove Tpke.  
New Windsor, NY 12553

Faricellia, Michael H.  
650 Blooming Grove Tpke.  
New Windsor, NY 12553

Pavlik, Frank T. & Barbara A.  
4 Cannon Dr.  
New Windsor, NY 12553

Gigliotti, John J.  
92 Continental Dr.  
New Windsor, NY 12553

Mcardle, James J.  
94 Continental Dr.  
New Windsor, NY 12553

Meissner, John H.  
89f Pomona Rd.  
Suffern, NY 10901

Vanduzer, Leona  
98 Continental Dr.  
New Windsor, NY 12553

Loehle, David W. & Lucy D.  
100 Continental Dr.  
New Windsor, NY 12553

Steel, Michael & Patricia  
12 Continental Dr.  
New Windsor, NY 12553

Valle, Ana Elsie  
14 Continental Dr.  
New Windsor, NY 12553

Fredrick, Martha  
16 Continental Dr.  
New Windsor, NY 12553

Godfrey, Nancy N. & Paul A.  
18 Continental Dr.  
New Windsor, NY 12553

Spreer, Charles E. & Audrev M.  
20 Continental Dr.  
New Windsor, NY 12553

Westerman, John Jr. & Katherine A.  
22 Continental Dr.  
New Windsor, NY 12553

Greiner, Lucille  
24 Continental Dr.  
New Windsor, NY 12553

Volpe, Daniel J. Jr. & Michele A.  
19 Mark St.  
New Windsor, NY 12553

McCue, Mary Grace  
1 Split Tree Dr.  
New Windsor, NY 12553

DiLorenzo, Carl J. & Mary A.  
8 Musket Place  
New Windsor, NY 12553

Bartek, James W. & Sistina  
26 Parade Place  
New Windsor, NY 12553

Ceriello, Frank J.  
24 Parade Place  
New Windsor, NY 12553

Conklin, Barry W. & Therese E.  
22 Parade Place  
New Windsor, NY 12553

Grimando, Peter & Clementina  
10 Cannon Dr.  
New Windsor, NY 12553

Mlinaric, Kathy & Amanatides, Apostolos  
12 Cannon Dr.  
New Windsor, NY 12553

Callahan, Florence M.  
14 Cannon Dr.  
New Windsor, NY 12553

Buckner, Ronald H. & Wilkinson, Diane  
16 Cannon Dr.  
New Windsor, NY 12553

Blabac, George & Margarite  
21 Continental Dr.  
New Windsor, NY 12553

Gaydos, Robert & Annette  
19 Continental Dr.  
New Windsor, NY 12553

Saunders, Bruce & Carol S.  
17 Continental Dr.  
New Windsor, NY 12553

Roller, Arthur S. & Joyce I.  
15 Continental Dr.  
New Windsor, NY 12553

Correa, Reynaldo & Alma R.  
13 Continental Dr.  
New Windsor, NY 12553

Picard, Maurice J.  
11 Continental Dr.  
New Windsor, NY 12553

Williams, Palmer R. & Marie T.  
9 Continental Dr.  
New Windsor, NY 12553

Hanretta, Lawrence S. Sr. & Regina  
7 Continental Dr.  
New Windsor, NY 12553

Bedetti, Francis III & Lupardo, Christine A.  
5 Continental Dr.  
New Windsor, NY 12553

Pellegrino, Vita  
3 Continental Dr.  
New Windsor, NY 12553

McCourtney, Bernard J. & Selene  
1 Continental Dr.  
New Windsor, NY 12553

Cinnante, Christopher & Gail A.  
6 Cannon Dr.  
New Windsor, NY 12553

Bresnan, James J. Jr. & Paula L.  
8 Cannon Dr.  
New Windsor, NY 12553

Dowd, Michael & Eileen A.  
43 Parade Place  
New Windsor, NY 12553

Bittles, Richard J. & Kathleen P.  
45 Parade Place  
New Windsor, NY 12553

Berean, & Howard A. & Laurine R.  
47 Parade Place  
New Windsor, NY 12553

Kelly, James & Veronica  
49 Parade Place  
New Windsor, NY 12553

Dayton, Oren R. & Dolores V.  
51 Parade Place  
New Windsor, NY 12553

Sylvia, Leita Mae  
53 Parade Place  
New Windsor, NY 12553

Deluca, Joseph A. & Anna  
55 Parade Place  
New Windsor, NY 12553

Brodeski, Cazmer S. & Dorothy A.  
10 Musket Place  
New Windsor, NY 12553

Schaefer, Lowell E. & Gisela  
17 Cannon Dr.  
New Windsor, NY 12553

Lopez, Raymond & Gloria  
11 Cannon Dr.  
New Windsor, NY 12553

Collins, John & Carole P.  
20 Parade Place  
New Windsor, NY 12553

Weygant, George & Norma  
18 Parade Place  
New Windsor, NY 12553

Pick, Kenneth R. & Carol A.  
21 Parade Place  
New Windsor, NY 12553

Russo, Carmello T. & Theresa R.  
24 Provost Dr.  
New Windsor, NY 12553

Como, Joseph & Lydia C.  
22 Provost Dr.  
New Windsor, NY 12553

Roveto, Charles M. & Patricia A.  
20 Provost Dr.  
New Windsor, NY 12553

Komsisky, Francis J. & Marlene J.  
17 Parade Place  
New Windsor, NY 12553

Cronin, Donald E. & Carolyn P.  
19 Parade Place  
New Windsor, NY 12553

Zuidema, Paul N. & Allison J.  
27 Provost Dr.  
New Windsor, NY 12553

Huey, George W. & Frances G.  
704 Blooming Grove Tpke.  
New Windsor, NY 12553

Vohnout, Otto & Pauline  
708 Blooming Grove Tpke.  
New Windsor, NY 12553

Secretary of Housing & Urban Development  
c/o U.S. Department of HUD,  
Property Disposition Branch, Room 3237  
26 Federal Plaza  
New York, NY 10278-0068

Ottway, Kurt Jr. & Meta Dorothy  
1 Rocky Lane  
New Windsor, NY 12553

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

90BF092129

THOMAS C. HEATH and  
DAPHNE W. HEATH

TO

RICHARD J. BITTLES and  
KATHLEEN P. BITTLES

SECTION 45 BLOCK 4 LOT 15

RECORD AND RETURN TO:

Bloom & Bloom, P. C.

530 BLOOMING GROVE TURNPIKE

(AT THE PROFESSIONAL CIRCLE)

P.O. BOX 4323

NEW WINDSOR, NEW YORK 12550

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 52854 DATE 3-20-90 A.

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

BG20 Blooming Grove \_\_\_\_\_  
CH22 Chester \_\_\_\_\_  
CO24 Cornwall \_\_\_\_\_  
CR26 Cawford \_\_\_\_\_  
DP28 Deerpark \_\_\_\_\_  
GO30 Goshen \_\_\_\_\_  
GR32 Greenville \_\_\_\_\_  
HA34 Hamplonburgh \_\_\_\_\_  
HI36 Highlands \_\_\_\_\_  
MK38 Minisink \_\_\_\_\_  
ME40 Monroe \_\_\_\_\_  
MY42 Montgomery \_\_\_\_\_  
MH44 Mount Hope \_\_\_\_\_  
NT46 Newburgh (T) \_\_\_\_\_  
NW48 New Windsor ☒  
TU50 Tuxedo \_\_\_\_\_  
WL52 Wallkill \_\_\_\_\_  
WK54 Warwick \_\_\_\_\_  
WA56 Wawayanda \_\_\_\_\_  
WO58 Woodbury \_\_\_\_\_  
MN09 Middletown \_\_\_\_\_  
NC11 Newburgh \_\_\_\_\_  
PJ13 Port Jervis \_\_\_\_\_  
9999 Hold \_\_\_\_\_

SERIAL NO. \_\_\_\_\_

Mortgage Amount \$ \_\_\_\_\_

Exempt Yes \_\_\_\_\_ No \_\_\_\_\_

3-6 Cooking Units Yes \_\_\_\_\_ No \_\_\_\_\_

Received Tax on above Mortgage

Basic \$ \_\_\_\_\_

MTA \$ \_\_\_\_\_

Spec. Add. \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

MARION S. MURPHY  
Orange County Clerk

by: \_\_\_\_\_

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on MAR 23 1990

at 11:20 O'Clock A M.

In Liber/Film 3268-Orals

at page 8-287 and examined.

*Marion S. Murphy*

County Clerk

LIBER 3268 PAGE 292

CHECK ☒ CASH ☐ CHARGE ☐

MORTGAGE TAX \$ \_\_\_\_\_

TRANSFER TAX \$ 568.00

ED Fund 5.00  
RECORD. FEE \$ 11.00

REPORT FORMS \$ 5.00

CERT. COPIES \$ \_\_\_\_\_

CTI

RECEIVED

\$ 568.00

REAL ESTATE

MAR 23 1990

TRANSFER TAX  
ORANGE COUNTY

181 ORG 03/23/90 11:20:56 5345 16.00

\*\*\*\*\* EDUCATION FUND: 5.00 \*\*\*\*\*

DEED CONTROL NO: 52854 568.00 \*

\*\*\*\*\* SERIAL NUMBER: 005357 \*\*\*\*\*

ALL THAT CERTAIN PLOT, piece or parcel of land known as Lot No. 45, Parade Place, Block "D", on Amended Map of Gateway, Schoonmaker Bros., Inc., Town of New Windsor, Orange County, New York, as made and amended September 16, 1963, by C. F. DiMarzio, L.S. No. 15985, and which amended map was filed October 15, 1963, as Map No. 2009, Orange County Clerk's Office, and which lot is more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of Parade Place (50 feet wide), where the same is intersected by the easterly line of Lot 43 as shown on said "Gateway" map, said point being distant 230.00 feet on a course of North 46° 58' 00" East from the intersection of the southerly line of said Parade Place and the easterly line of Cannon Drive, and running thence (1) North 46° 58' 00" East 25.56 feet along the southerly line of Parade Place to a point of curvature; thence (2) northerly along a curve to the left having a radius of 100.00 feet, an arc distance of 47.24 feet continuing along the same to a point; thence (3) South 70° 06' 00" East 152.67 feet along the southerly line of Lot No 47, Block "D", as shown on said map to a point; thence (4) South 46° 58' 00" West 140.53 feet partly along the northerly line of Lot No. 5, Block "D" and the northerly line of Lot No. 3, Block "D" to a point; thence (5) North 43° 02' 00" West 125.00 feet along the easterly line of Lot No. 43, Block "D" to the point or place of beginning.

BEING the same premises described in that certain deed dated July 15, 1983, running from Penelope A. Lowe to Thomas C. Heath and Daphne W. Heath and recorded thereafter in the Orange County Clerk's Office on July 26, 1983, in Liber 2257 of Deeds at Page 176.

LIBER 3268 PAGE 294

SCHEDULE

(A)



R-6093

90BF092.129

1691-Bargain & Sale Deed with Covenant against Grantor. JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS  
Stat. Form, Ind. or Corp.: 1 Side Recording.

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 20th day of March 1990.

BETWEEN THOMAS C. HEATH and DAPHNE W. HEATH, Husband  
and Wife, both presently residing at #45 Parade Place,  
New Windsor, Orange County, New York 12550

RICHARD J. BITTLES and KATHLEEN P. BITTLES, Husband<sup>grantor</sup>  
and Wife, both presently residing at #2 Paula Court,  
Cornwall-on-Hudson, Orange County, New York 12520

grantee

WITNESSETH, that the grantor, in consideration of

-----TEN DOLLARS----- (\$10.00) -- Dollars, paid by the grantee  
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL

#45 Parade Place  
New Windsor, Orange County, N.Y.

45 - 4 - 15

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF:

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises,  
TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the  
grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said  
premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the on of thi deed a requi

...presently residing at #2 Paula Court,  
Cornwall-on-Hudson, Orange County, New York 12520

grantee

WITNESSETH, that the grantor, in consideration of

-----TEN DOLLARS----- (\$10.00) -- Dollars, paid by the grantee  
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL

#45 Parade Place  
New Windsor, Orange County, N.Y.

45 - 4 - 15

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF:

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.  
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

*Thomas C. Heath* L. S.  
THOMAS C. HEATH  
*Daphne W. Heath* L. S.  
DAPHNE W. HEATH

STATE OF NEW YORK, COUNTY OF

ss.:

On the            day of            19            , before  
me personally came            to me known,  
who, being by me duly sworn, did depose and say that deponent resides  
at No.             
deponent is            of

the corporation described in and which  
executed, the foregoing instrument; deponent knows the seal of said  
corporation; that the seal affixed to said instrument is such corporate  
seal; that it was so affixed by order of the Board of Directors of said  
corporation; deponent signed deponent's name thereto by like order.

DANIEL J. BLOOM  
Notary Public, State of New York  
Residing in Orange County  
Commission Expires March 21, 1992

STATE OF NEW YORK, COUNTY OF Orange

ss.:

On the 20 day of March 1990, before  
me personally came THOMAS C. HEATH and  
DAPHNE W. HEATH

to me known to be the individual s described in, and who executed  
the foregoing instrument, and acknowledged that t he y executed  
the same

*Daniel J. Bloom*  
NOTARY PUBLIC  
INDEX 3268 PAGE 293